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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,243	02/13/2002	Hidenori Yamada	111933	4434
25944	7590	02/28/2004	EXAMINER	
OLIFF & BERRIDGE, PLC			LUU, THANH X	
P.O. BOX 19928			ART UNIT	PAPER NUMBER
ALEXANDRIA, VA 22320			2878	

DATE MAILED: 02/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/073,243

Applicant(s)

YAMADA ET AL.

Examiner

Thanh X Luu

Art Unit

2878

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/13/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3, 4, 6, 9 and 10, are rejected under 35 U.S.C. 102(b) as being anticipated by Losch et al. (U.S. Patent 5,054,870).

Regarding claims 1, 3, 4, 6, 9 and 10, Losch et al. disclose (see Figures 1 and 2) an optical wiring circuit, comprising: a board (4); at least one planer optical waveguide (3) disposed on a principal surface of the board; at least one first optical wave guide (1, left instance) having a first end optically connected to the planer optical waveguide; and at least one second optical wave guide (1, right instance) having a second end optically connected to the planer optical waveguide; wherein the first optical wave guide has a first other end connect to the first end; the second optical wave guide has a second other end connected to the second end; and the first other end and the second other end face a neighboring portion of one surface of side surfaces of the board. The planer optical waveguide is disposed in parallel to the principal surface of the board and the wave guides comprise optical fibers. In addition, Losch et al. disclose (see column 3, lines 50-55) the planer optical waveguide includes steps (slanted or tapered surfaces) connected to the first and second ends. Losch et al. further disclose (see Figures 1 and

2) an electric circuit board (5); and an opto-electric conversion element (6) disposed on the electric circuit board as claimed.

3. Claims 1-11, are rejected under 35 U.S.C. 102(b) as being anticipated by Yoshimura et al. (U.S. Patent 5,757,989).

Regarding claims 1-11, Yoshimura et al. disclose (see Figure 2) an optical wiring circuit, comprising: a board; at least one planer optical waveguide (5) disposed on a principal surface of the board; at least one first optical wave guide (19) having a first end optically connected to the planer optical waveguide; and at least one second optical wave guide (not labeled) having a second end optically connected to the planer optical waveguide; wherein the first optical wave guide has a first other end connect to the first end; the second optical wave guide has a second other end connected to the second end; and the first other end and the second other end face a neighboring portion of one surface of side surfaces of the board. The diffraction grating diffuses a light beam as claimed. The planer optical waveguide is disposed in parallel to the principal surface of the board and the wave guides comprise optical fibers. Yoshimura et al. also disclose (see Figure 2) the wave guides disposed in grooves. In addition, Yoshimura et al. disclose (see Figure 2) the planer optical waveguide includes steps (at 18) connected to the first and second ends. Yoshimura et al. further disclose (see Figure 2) an electric circuit board (17); and an opto-electric conversion element (16) disposed on the electric circuit board as claimed. Yoshimura et al. also disclose (see Figure 31) a plurality of optical wiring circuits which are superimposed on one another in a sheet side surface direction.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh X. Luu whose telephone number is (571) 272-2441. The examiner can normally be reached on Monday-Friday from 6:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Porta, can be reached on (571) 272-2444. The fax phone number for the organization where the application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

txl
February 12, 2004


Thanh X. Luu
Primary Examiner